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BC8

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/160,267 09/24/98 TOYAMA

M 05058/76501

EXAMINER

WM31/0730

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717 N HARWOOD
SUITE 3400
DALLAS TX 75201-6507

TRAN.D

ART UNIT

PAPER NUMBER

2624

DATE MAILED:

07/30/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/160,267

Applicant(s)

TOYAMA ET AL.

Examiner

Douglas Q. Tran

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 6, 9, 13-14, 19, 22, 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al. (US Patent No. 5,649,244) in view of Barkans (US Patent No. 5,929,862).

As to claim 1, Sato teaches:

an image forming section for forming an image in a plurality of operational modes (col. 1, lines 9-15);

a display device (18 in fig. 6) for displaying information in a plurality of colors in response to a color display (Abstract);

control means (211 CPU in fig. 29) for determining the operational mode of the image forming apparatus and providing a color display to the display device in response to the operational mode to control the color to be displayed on the display device (col. 15, lines 29-32 and col. 20, lines 32-35).

However, Sato does not teach control means for reading color information stored in a memory corresponding to the plurality of operational modes to control the color to be displayed on the display device. Since Sato teaches there are different color values associating with the different operational modes are displayed in the display device, it would have been obvious to

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have a memory for storing color information and a controller to control the color from the memory corresponding to the plurality of operational modes to be displayed on the display device. Furthermore, Barkans also teaches more details how a memory control (97 in fig. 4) for reading color values from buffer memory (34 in fig. 4) to control the color to be displayed on the display device (36 in fig. 4, col. 10, lines 8-10, col. 9, lines 38-40 and

It would have been obvious to have modified the color values associating with the operation modes of Sato are stored in the frame buffer memory and controlled by control for displaying in the display device as taught by Barkans. The suggestion of modifying the system of Sato can be reasoned by one of ordinary skill in the art as set forth by Barkans because Barkans provides a controlling system and method for enhancing the quality of colored images in a computer graphics system and minimizing memory requirements and memory accesses. Therefore, the system of Barkans is particular suited for an interactive computer graphics system of Sato in that it provides for generation of high quality images at high speeds.

As to claim 6, Sato teaches the regions are displayed with a background colors is set according to the color values (col. 15, lines 1-12).

As to claim 9, Sato teaches program registration means for registering a plurality of combinations of image forming conditions; and setting means for setting an operational mode by calling a combination of image forming conditions registered by the program registration means (col. 15, lines 29-45).

As to claims 13-14, 19, 22, 26 and 28 due to the similarities of these claims to those of claims 1,6,9, these claims are rejected as the reason and motivation applied to claims 1,6, and 9.

3. Claims 2-3, 7-8, 10-12, 15-16, 20-21, 23-25, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al. and Barkans as applied to claims 1 and 14, and further in view of Kajita (US Patent No. 5,999,708).

As to claims 2-3, the combination of Sato and Barkans teaches the feature in claim 1 except operator entering identification and the image forming section performing jobs is associated with one of modes.

Kajita teaches input means for entering an identification signal for identifying an operator (704 in fig. 7, col. 5, lines 21-26), and the image forming section (117 in fig. 1) is capable of sequentially executing a plurality of jobs, and each job is associated with one of the plurality of operational modes (i.e., print mode 402 in fig. 4).

It would have been obvious to have modified the system of Sato and Barkans for entering the password by the operator and selecting the printing mode of a plurality of modes for executing the print job as taught by Kajita. The suggestion of modifying the system of Sato and Barkans can be reasoned by one of ordinary skill in the art as set forth by Kajita because Kajita provides a security function which just allow a particular operator to select a particular mode such as a printing mode for only executing the print job.

As to claims 10-12, the combination of Sato and Barkans teaches the feature in claim 1. Furthermore, Sato teaches the regions are displayed with a background colors is set according to the color value (col. 15, lines 1-12).

However, the combination of Sato and Barkans does not teach a second setting means regarding a second function in associated with a first setting means regarding a first function, and both function are simultaneously displayed in sectionalized regions in a display device.

Kajita teaches first setting means for setting an image forming condition regarding a first function (i.e., enlargement in fig. 15) , and second setting means regarding a second function (i.e., arrow associated with enlargement or number 1506 associated with copy mode in fig. 15) in association with the first setting means; the first function and the second function are simultaneously displayed in sectionalized regions in a display device (see 1501 and 1506 in fig.15).

It would have been obvious to have modified the system of Sato and Barkans for display a second setting means regarding a second function in associated with a first setting means regarding a first function, and both function are simultaneously displayed in sectionalized regions in a display device as taught by Kajita. The suggestion of modifying the system of Sato and Barkans can be reasoned by one of ordinary skill in the art as set forth by Kajita because Kajita provides the graphical user interface displays a plurality of functions associated together and in the same window which allows the user to easily set a plurality of functions when these functions are displayed in the same window.

As to claims 7-8, due to similarity of these claims to those of claims 10-11, these claims are rejected as the reason and motivation applied to claims 10-11.

As to claims 15-16, 20-21, and 23-25 and 27, due to similarity of these claims to those of claims 2-3, 7-8 and 10-12, these claims are rejected as the reason and motivation applied to claims 2-3, 7-8 and 10-12.

4. Claims 4-5, 17-18 and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al. and Barkans as applied to claims 1 and 14, and further in view of Knodt et al. (US Patent No. 5,987,535).

As to claims 4-5, the combination of Sato and Barkans teaches the feature in claim 1 except copy mode and fax mode

Knodt teaches copy mode (53 in fig. 2) and fax mode (56 in fig. 2) displayed in the display device (fig. 2).

It would have been obvious to have modified the system of the combination of Sato and Barkans for displaying copy mode (53 in fig. 2) and fax mode (56 in fig. 2) in the display device as taught by Knodt. The suggestion of modifying the system of Sato and Barkans can be reasoned by one of ordinary skill in the art as set forth by Knodt because Knodt provides the multi function device including copy operation and fax operation in which these functions displayed in the display device to allow the user easily to select one of functions for performing a particular job.

As to claims 17-18, due to similarity of these claims to those of claims 4-5, these claims are rejected as the reason and motivation applied to claims 4-5.

As to claim 29, due to the similarity of this claim to those of claims 14 and 17-18, this claim is rejected as the reason and motivation applied to claims 14 and 17-18.

As to claim 30, these claims are rejected as in claim 27 by the combination of Sato et al, Barkans, Knodt et al and Kajita.

As to claim 31, these claims are rejected as in claim 28 by the combination of Sato et al, Barkans, Knodt et al.

Response to Arguments and Amendment

Applicant's arguments filed 6/18/01 have been fully considered but they are not persuasive.

Applicant asserted in page 12: " Because the overlays in the Sato Patent are permanent and cannot be changed, there is no suggestion in the reference of a system that allows changing the color in response to the change of mode". In reply, Sato et al. clearly teach a display unit in which the different operational modes are displayed in different colors (lines 1-2 in Abstract and see the different patterns and shapes in the displaying means of figure 5 and col. 20, lines 32-36). Each mode associated with each color and another mode associated with another color. Thus, this system that allows changing the color in response to the change of color.

For the above reasons, it is believed that the cited prior art fully discloses the claimed invention and the rejection stand.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

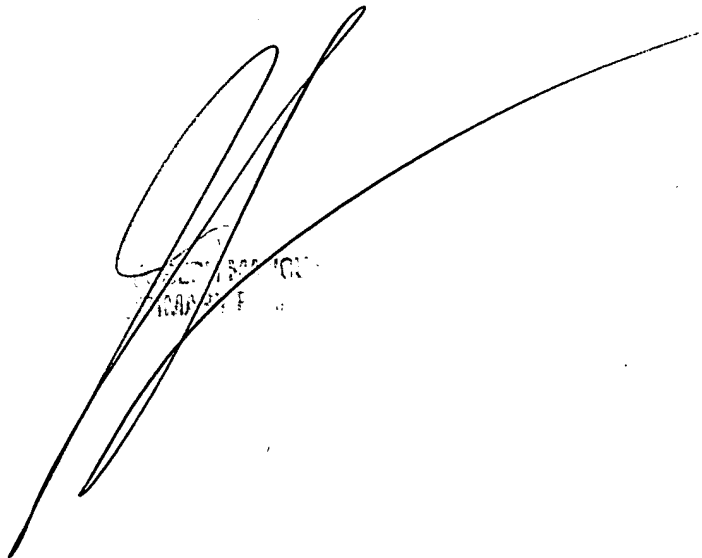
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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or e-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran
Jul. 28, 2001

A handwritten signature in black ink, appearing to be 'D. Q. Tran', is written over a faint, circular official stamp. The signature is fluid and extends from the bottom left towards the top right of the stamp area.

Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a)

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.